

Purpose: The Medicine Hat Library Board enacts the following Bylaws pursuant to the *Province of Alberta Libraries Act, RSA 2000, Ch L-11, section 36* and the *Libraries Amendment Act, 1998* which states:

- 36**(1) A board may pass by-laws for the safety and use of the library, including
- (a) the terms and conditions under which
 - i) the public may be admitted to the building,
 - ii) public library property may be used or borrowed by members of the public, and
 - iii) borrowing privileges may be suspended or forfeited;
 - (b) notwithstanding subsection (3), fees to be paid by members of the public for
 - i) the issuance of library borrowing cards, and
 - ii) the use of those parts of the building not used for the purposes of the public library
 - iii) photocopying
 - iv) receiving information in a printed, electronic, magnetic, or other format, and
 - v) receiving, on request, a library service not normally provided by the public library.
 - (c) penalties to be paid by members of the public for abuse of borrowing privileges.
- (2) The *Regulations Act* does not apply to by-laws passed under subsection (1).
- (3) A by-law or part of a by-law that requires a member of the public to pay a fee or charge for any of the following is invalid:
- (a) admittance to any portion of the building used for public library purposes;
 - (b) using library resources on library premises;
 - (c) borrowing library resources, in any format normally lent by the library;
 - (d) acquiring library resources through inter-library loan;
 - (e) consultation with members of the library staff;
 - (f) receiving basic information services.

1.0 Definitions in these Bylaws shall mean:

- 1.1 *Applicant*: in the case of 7.0 below, a person who makes a request for access to a record under Section 7 (1) of the *Freedom of Information and Protection of Privacy Act*; elsewhere in the Bylaws means a person applying for a library card.
- 1.2 *Basic Information Service*: public access to current and accurate information and assistance, making use of information, communication technology, and library resources.
- 1.3 *Board*: the Medicine Hat Library Board.
- 1.4 *Cardholder*: the registered user of a current library card, or the cardholder's parent/guardian in the case of a child if the context deals with permission to access or cardholder responsibility.
- 1.5 *Chief Librarian*: the Chief Librarian and any person who holds the position of Chief Librarian in an acting capacity.
- 1.6 *Good Standing*: a cardholder with no outstanding charges in excess of the maximum allowed in Schedule C.
- 1.7 *Library*: the Medicine Hat Public Library or, if the context so requires, any premises used by the Medicine Hat Public Library for library purposes.

- 1.8 *Library Resources:* any material, regardless of format, that is held in the Medicine Hat Public Library's collection, or borrowed by the Medicine Hat Public Library, and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD Roms, and electronic databases.
 - 1.9 *Loan period:* the period of time, as set out in Schedule B, which a cardholder may borrow library resources and includes any renewal of an original loan period.
 - 1.10 *Cardholder Categories* shall include the following:
 - 1.10.1 Adult: any person 18 years and older.
 - 1.10.2 Young Adult: any person 13 through 17 years of age.
 - 1.10.3 Child: any person up to and including 12 years of age.
 - 1.10.4 Family: two or more members of the same family, in the case of non-residents only.
 - 1.10.5 Deposit Collection: an institution (ie nursing home, long-term care facility) loaned library resources in bulk for subsequent borrowing by individuals resident in that institution.
 - 1.10.6 TAL Card borrower: a cardholder from outside the Shortgrass Library System with a current TAL card.
 - 1.11 *Non-resident:* any person who is not a resident of a member municipality of the Shortgrass Library System.
 - 1.12 *Resident:* any person who has a residence within the City of Medicine Hat and/or pays City of Medicine Hat property or business taxes. This may also apply to residents of member municipalities of the Shortgrass Library System.
 - 1.13 *TAL Card:* an Alberta Library card permitting the cardholder to borrow materials from any library participating in the Alberta Library Card Program.
- 2.0 Interpreting the Bylaws
- 2.1 The headings used herein are for convenience and do not form part of these Bylaws;
 - 2.2 The Board is a corporation as defined by the *Interpretation Act, RSA 2000 Chapter I-8*.
 - 2.3 The Board may, from time to time, change the specifics set out in the accompanying Schedules.
- 3.0 Procedures for Acquiring a Library Card
- 3.1 Any resident or non-resident is eligible to apply for a library card. A library card is issued upon:
 - 3.1.1 Completion of application in a form prescribed by the Chief Librarian;
 - 3.1.2 Presentation of one piece of identification bearing the applicant's permanent address in the case of a person applying for a Young Adult or Adult library card;
 - 3.1.3 Presentation of photographic identification in the case of a TAL card borrower.
 - 3.1.4 Payment of any applicable fees as outlined in Schedule A.
 - 3.2 Applicants shall receive a library card which:
 - 3.2.1 Is valid from the date of issue to the expiry date, unless revoked by the Chief Librarian under 6.3.
 - 3.2.2 Remains the property of the Medicine Hat Public Library.

- 3.2.3 Is not valid unless the card is signed by the cardholder. The card may be signed by the cardholder's parent/guardian in the case of a child.
- 3.3 The TAL Card is available for free to all resident members in good standing.

- 4.0 Responsibilities of a Cardholder
 - 4.1 The cardholder named on a library card shall be the only person that may use the card. The cardholder may designate alternate people to access his/her library records.
 - 4.2 Loss or theft of a current library card must be reported immediately to the Library. Cardholders are responsible for all library resources borrowed and all charges attributable before the loss or theft of the card is reported. Cardholders may be assessed a minimal charge as outlined in Schedule A for a replacement card.
 - 4.3 Cardholders must notify the library of any change of address or telephone number.
 - 4.4 Cardholders are responsible for all library items borrowed on their card and shall compensate the library for all library items damaged or lost while borrowed on their card.
 - 4.5 A cardholder shall return to the library or renew any library item on or before the due date as provided in Schedule B.

- 5.0 Loan of Library Resources
 - 5.1 There is no charge for using library resources on library premises or borrowing library resources normally lent by the library, acquiring library resources through interlibrary loan, consultation with members of the library staff or receiving basic information service.
 - 5.2 Loan periods for library resources are set out in Schedule B.
 - 5.3 Library resources may be reserved in accordance with procedures established by the Chief Librarian.
 - 5.4 Library resources may be renewed in accordance with procedures established by the Chief Librarian.

- 6.0 Penalty Provisions
 - 6.1 The procedures for demanding the return of overdue resources are as set out in Schedule C.
 - 6.2 Cardholders are responsible for all charges resulting from failing to return or the late return of library resources or damages to library resources, as outlined in Schedule C.
 - 6.3 A library card may be denied or revoked if the cardholder fails to satisfy the conditions prescribed in 5.0 or has previously shown that they cannot be trusted with library resources by repeated damage to or loss of library materials, non-payment of overdue fines, loss or damage assessments, etc.
 - 6.4 In cases of serious dereliction the Board may prosecute an offence under the *Libraries Act*, s.41. Such an offence is punishable under the *Libraries Act*, s.41. The range of penalties applying on conviction for such an offence is set out in Schedule C.
 - 6.5 Any fine or penalty imposed pursuant to an offence under 6.4 inures to the

benefit of the Medicine Hat Library Board in accordance with the *Libraries Act*, s.42

7.0 Freedom of Information and Protection of Privacy

- 7.1 In accordance with s.95 of the *Freedom of Information and Protection of Privacy Act*, RSA2000, c.F-25, the Chief Librarian is designated as Coordinator responsible for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- 7.2 Where an Applicant is required to pay a fee for services, the fee payable is in accordance with the *Freedom of Information and Protection of Privacy Regulation*, AR 200/95, as set out in Schedule E and as amended from time to time or any successor regulation that sets fees for requests from the Board.

8.0 Admittance to/Conduct in the Building and on the Grounds

- 8.1 The portion of any building used for public library purposes is open to any member of the public free of charge during the hours of opening as are set out by the Board in Policy LS.9.
- 8.2 Charges for the use of library premises not normally used for public library purposes are set out in Schedule D.
- 8.3 No person using the building or grounds shall:
 - 8.3.1 Cause unnecessary disturbance to other library users and/or violate Library Board policy.
 - 8.3.2 Remove any library item from the library unless the item has been properly checked out in accordance with the procedures established for checking out library items.
 - 8.3.3 Enter or remain in the library building except during those periods designated as open for public use.
 - 8.3.4 Solicit other library users and staff for personal, commercial, religious, or political purposes.
 - 8.3.5 Consume food and drink at the computers.
- 8.4 Persons who do not conduct themselves in accordance with 8.3 shall be asked to discontinue their actions. If the action continues or the severity of the action warrants it, library staff will direct that the person leave the building and grounds and/or library staff may seek outside assistance.
- 8.5 No member of the public is to be left in the building for any reason without a staff person or member of the Board present at all times.

SCHEDULE A – Fees for the Issuance of Library Cards

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| Resident Child and Young Adult Card Fee | no charge |
| Resident Adult Card Fee | \$5.00/year |
| Non-resident Individual (Adult, Young Adult, or Child) Card Fee | \$60.00/year, plus \$5.00/year for adults |
| Non-resident Family Card Fee | \$80.00/year, plus \$5.00/year for each adult |
| Deposit Collection Card Fee | \$50.00/year |
| Replacement Card Fee | \$1.00/card; first card replaced for no charge |

Card Fees may be waived at the discretion of the Chief Librarian or designate – proof of hardship may be required.

All library card fees are subject to review.

SCHEDULE B – Loan Periods for Library Resources

All circulating resources are loaned for three weeks, with the following exceptions:

1. Items in high demand, excluding video recordings, are loaned for two weeks
2. Video recordings are loaned for one week
3. Items loaned to homebound and visually impaired cardholders, excluding video recordings, are loaned for six weeks
4. Items loaned as a vacation loan, excluding video recordings, are loaned for six weeks
5. Interlibrary items are loaned for six weeks
6. 'Hot off the Press' items are loaned for one week. No holds or renewals are permitted.
7. Renewal Periods: All circulating resources may be renewed a maximum of two times for a total loan of nine weeks, with the exception of video recordings which may be renewed once for a total loan of two weeks. All renewals are subject to recall or reservations from other cardholders.

SCHEDULE C – Overdue Fines and Procedures for the Return of Overdue Material

C.1 Overdue Fines Per Item Borrowed

| Material Type | Charge/Day | Maximum Fine |
|-----------------------|------------|--------------|
| Adult Resources | \$0.25 | \$5.00 |
| Children's Resources | \$0.10 | \$2.00 |
| Young Adult Resources | \$0.25 | \$5.00 |

C.2 Procedures for return of overdue materials

1. An overdue notice is mailed to the cardholder three (3) weeks after the due date. The notice lists the title of each overdue item.
2. The second and final overdue notice is mailed five (5) weeks after the due date. The notice lists the title and replacement cost of each overdue item.
3. Items will be deemed to have been lost if they have been overdue for twelve (12) weeks.
4. At the discretion of the Chief Librarian, an overdue account may be sent to the library's collection agency. The collection agency's fee is assessed as a percentage of the overdue account and will be added to the cardholder's overdue account.
5. Adult and Young Adult cardholders who have reached twenty dollars (\$20.00) in outstanding fines or other fees, and Child cardholders who have reached ten dollars (\$10.00) in outstanding fines or other fees will not be allowed to borrow resources until their account is paid.
6. Notwithstanding paragraph 5., accounts may be paid in installments without loss of borrowing privileges and accounts may be reduced or waived in special circumstances.

C.3 Penalties for lost or damaged items

1. The original purchase cost if it is available, shall be charged. If this is not available a fee for the type of item damaged or lost shall be charged. This charge may be waived if an exact replacement copy in new or pristine condition is provided by the cardholder. Should the cardholder find a lost item within six (6) months of having paid the lost fee for the item, the cardholder shall be reimbursed for the item. After the six (6) month period, the item remains the property of the cardholder.
2. At the discretion of the Chief Librarian, a processing fee of \$5.00 per item may be charged.

SCHEDULE D – Meeting Room and Equipment Fees

Meeting Rooms (Charges)

Legion Room \$12.00/hour

Honor Currie Room \$15.00/hour

Theatre \$30.00/hour

\$60.00/day for days when the theatre is unavailable due to rehearsals, scenery, set-up, storage or production. This fee in addition to the hourly rate.

An additional fee will be charged to groups or organizations booking library facilities for time periods occurring fully or partially outside of hours when the library is staffed. To provide for required staff supervision, a minimum fee of three hours of a library employee's hourly wage will be charged.

Additional fees will be charged for the following:

Coffee \$ 5.00/pot
\$15.00 (52 cup perk)
\$30.00 (100 cup perk)
(Includes cups, napkins, cream, sugar)

Photocopying and Printing \$0.10 black and white
\$0.50 colour

TV and/or VCR/DVD player (in-house use only) \$10.00/day

In-house Projection unit \$15.00/day

Gaming console and associated hardware with TV or projector (in-house use only)
\$20.00/day

Screen (off-site use) \$5.00/day

AV Equipment (overhead, slide projector) \$20.00/day

Goods and Services Tax @ current rate.

SCHEDULE E – Fees Related to the *Freedom of Information and Protection of Privacy Act*

The amount of the fees set out in this Schedule are the maximum amounts that can be charged to applicants.

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| For locating and retrieving a record | \$6.75 per ¼ hour |
| For producing a record from an electronic record | |
| a) computer processing and related charges | actual amount charged to library |
| b) computer programming | \$10.00 per ¼ hour |

All other applicable fees will be charged as set out in the *Freedom of Information and Protection of Privacy Regulation, AR 200/95, s.9 and Schedule 2*.